

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Frank A. Scarpino, Arturo H. Garcia and Arturo J. Garcia
Serial No. : 09/887,606
Filed : June 22, 2001
Title : FREQUENCY RESPONSES, APPARATUS AND METHODS FOR THE
HARMONIC ENHANCEMENT OF AUDIO SIGNALS
Docket : TRD021IA
Art Unit : 2644

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on November 16, 2001.

Robert L. Showalter

Reg. No. 33,579

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

FILING OF MISSING PARTS

Pursuant to the Notice to File Missing Parts of NonProvisional Application mailed August 16, 2001 in the above-identified patent application, enclosed herewith is 1) a properly signed Declaration in compliance with 37 CFR 1.63 identifying the application by the above Serial Number and Filing Date; 2) a letter requesting corrections to the Filing Receipt; 3) the return copy of the Notice; and 4) payment in the amount of \$130 as set forth in 37 CFR 1.16(e).

Respectfully submitted,

Robert L. Showalter, Reg. No. 33,579

7019 Corporate Way
Dayton, Ohio 45459-4238
Telephone: (937) 438-6848
Facsimile: (937) 438-2124
Email: showalter@speakeasy.net



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/887,606	02/22/2001	Frank A. Scarpino	TRD 021 1A

CONFIRMATION NO. 7244

FORMALITIES LETTER



OC000000006428945

King & Schickli PLLC
7019 Corporate Way
Dayton, OH 45459-4238

Date Mailed: 08/16/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

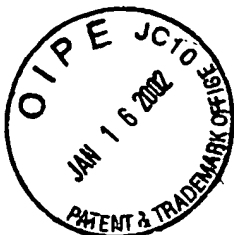
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/05/2002 HMOHAM1 00000009 09887606
01 FC:205 65.00 OP
01/23/2002 ANAB11 00000020 09887606
01 FC:105 130.00 OP
Adjustment date: 04/05/2002 HMOHAM1
01/23/2002 ANAB11 00000020 09887606
01 FC:105 -130.00 OP



Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/887,606	
	Filing Date	June 22, 2001	
	First Named Inventor	Scarpino, et al.	
	Group Art Unit	2644	
	Examiner Name		
Total Number of Pages in This Submission	11	Attorney Docket Number	TRD 021 IA

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Letter Requesting Correction of Filing Receipt; and Return postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Robert L. Showalter; Stevens & Showalter, L.L.P.
Signature	
Date	Nov. 16, 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>Nov. 16, 2001</u>			
Typed or printed name	Robert L. Showalter		
Signature		Date	11/16/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Project of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 240.00)

Complete if Known

Application Number 09/887.606

Filing Date June 22, 2001

First Named Inventor Scarpino, F.

Examiner Name

Group Art Unit 2644

Attorney Docket No. TRD0211A

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code Fee Code Fee Description

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description
101	740	201	Utility filing fee
106	330	206	Design filing fee
107	510	207	Plant filing fee
108	740	208	Reissue filing fee
114	160	214	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims -20** = X =
Independent Claims -3** = X =
Multiple Dependent =

Large Entity Small Entity

Fee Code Fee Code Fee Description

Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description
103	18	203	Claims in excess of 20
102	84	202	Independent claims in excess of 3
104	280	204	Multiple dependent claim, if not paid
109	84	209	** Reissue independent claims over original patent
110	18	210	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
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Fee Description

Fee Paid

105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	110
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 240.00)

SUBMITTED BY

Name (Print/Type)

Robert Showalter

Registration No. (Attorney/Agent)

33,579

Complete (if applicable)

Telephone

937/438-6848

Signature

[Signature]

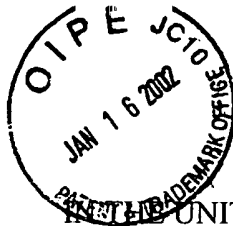
Date

11/16/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Date: 04/03/2002
Adjusted: 01/10/2002
01 FC: 10/20/01
02 FC: 10/20/01
253.00 US
252.00 US
09887606
-517.00 US



UNITED STATES PATENT AND TRADEMARK OFFICE

Receipt #5

Application of

Applicants : Frank A. Scarpino, Arturo H. Garcia and Arturo J. Garcia
Serial No. : 09/887,606
Filed : June 22, 2001
Title : FREQUENCY RESPONSES, APPARATUS AND METHODS FOR
THE HARMONIC ENHANCEMENT OF AUDIO SIGNALS
Docket : TRD021IA
Art Unit : 2644

LETTER REQUESTING CORRECTION OF FILING RECEIPT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

During a review of the Filing Receipt, we noted the filing date is incorrect. The correct filing date is - - **06/22/2001** - -.

A correction and addition is needed in the Domestic Priority data. Although a Notice of Abandonment was mailed 07/02/2001 for application no. 08/472,876 filed 06/07/1995, that abandonment has been withdrawn. Therefore, **the ABN reference should be removed.**

In addition, 08/472,876 is a **CIP of 021209 02/23/1993 PAT 5,361,306** and this information should be added.

Also a **Non-Publication Request** was filed at the time of filing the application.

Therefore, we are requesting a corrected Filing Receipt be issued as soon as possible. A copy of the Filing Receipt showing the corrections requested is attached.

Respectfully submitted,

Robert L. Showalter
Reg. No. 33,579

7019 Corporate Way
Dayton OH 45459-4238
Telephone: 937/438-6848
Facsimile: 937/438-2124

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231 on November 16, 2001.

Robert L. Showalter

Reg. No. 33,579



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/887,606	02/22/2001 06/22/2001	2644	475	TRD 021 IA	3	18	6

CONFIRMATION NO. 7244

FILING RECEIPT



OC00000006428944

King & Schickli PLLC
7019 Corporate Way
Dayton, OH 45459-4238

Date Mailed: 08/16/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Frank A. Scarpino, Dayton, OH;
Arturo H. Garcia, Miami, FL;
Arturo J. Garcia, Miami, FL;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF PCT/US00/21912 08/10/2000
AND A CIP OF 09/431,371 11/01/1999
WHICH CLAIMS BENEFIT OF 60/148,787 08/13/1999
THIS APPLICATION 09/887,606
IS A CIP OF 08/989,373 12/12/1997
AND A CIP OF 08/909,807 08/12/1997
WHICH IS A CIP OF 08/700,728 08/13/1996 PAT 6,275,593
THIS APPLICATION 09/887,606
IS A CIP OF 08/472,876 06/07/1995 ABN
which is a CIP of 021209 02123/1993 PAT 5,361,306

Foreign Applications

If Required, Foreign Filing License Granted 08/15/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No Yes

Early Publication Request: No

** SMALL ENTITY **